REMARKS

Claims 39 to 80 have been added so that claims 1 to 80 are now pending. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

As an initial matter, Applicants note with appreciation the courtesies extended by Examiner Arezoo Sherkat during the course of a telephone interview conducted on June 13, 2006 with Applicants' representatives Gerard A. Messina (Reg. No. 35,952) and Michael P. Paul (Reg. No. 43,443). In compliance with 37 C.F.R. § 1.560, the following is a complete written statement of the discussions at the interview.

At the interview, the following was discussed:

How a relay arrangement configured to push data from behind a firewall arrangement to the at least one handheld wireless device such that the data is not stored outside of the firewall arrangement while enroute to at least one wireless carrier network is not taught or suggested in the references relied upon the Examiner to support the rejection of the claims. However, no consensus was reached.

Claims 1 to 4, 9 to 18 and 22 to 38 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent Publication No. 2004/0171369 ("Little"). It is respectfully submitted that claims 1 to 4, 9 to 18 and 22 to 38 are not anticipated by Little for at least the following reasons.

Claim 1, as presented, relates to a system for transmitting data stored in at least one database and processed by a server arrangement to at least one wireless device that receives data from a wireless carrier network, the system including a relay arrangement for routing the data ***to the wireless carrier network*** for transmission over the wireless carrier network to the at least one wireless device, and a firewall arrangement that provides security for the data, the server arrangement and the relay arrangement. Claim 1, as presented, recites that the relay arrangement is arranged behind the firewall arrangement and is configured to push the data from behind the firewall arrangement to the at least one wireless device ***such that the data is not transmitted until the at least one wireless device can receive the data***.

It is respectfully submitted that Little does not disclose, or even suggest, a relay arrangement that is arranged behind the firewall arrangement, and that routes the data to the wireless carrier network, as provided for in the context of claim 1 as presented. Instead, Little refers to wireless connector systems 628/744/755/878 of Figures 6, 7 and 8, which operate to send data to an intermediate location for further processing before sending the data

to the wireless network. In particular, wireless connector system 628 sends the data to wireless infrastructure 610, which handles the addressing of the mobile device and any other required interface functions (see paragraph [0113]); wireless connector systems 744/754 send the data to the network operator infrastructure 740, which performs protocol translation and repacking of the data (see paragraph [0130]); and wireless connector system 878 sends the data to an external data store 882 outside the firewall 808 so as to maintain data synchronization between the external data store 882 and a data store 817 residing within the firewall. Hence, Little teaches having the data transmitted to an intermediate location for additional processing of the data, rather than sending the data to the wireless carrier network for transmission to a wireless device. Moreover, such an indirect sending of the data requires that the data be stored outside of the firewall while enroute to the wireless carrier network. For example, the data sent by the wireless connector system 878 is stored outside the firewall 808 on the external data store 882. Indeed, the disadvantages of such a method of having the data indirectly sent and stored externally outside the firewall was explicitly noted and addressed by the present invention. In this regard, the present application states, for example, that:

> Other systems, such as in Figure 1, use relays that are installed in a centralized data center. The centralized data centers may be controlled by an outside party and may be located in a foreign country thus presenting the potential for security risks for the network and the data. The data center in which other systems place their common relay 140 may also be at great physical distance from the enterprise, requiring transmitted information to travel much farther that is truly required to gain access to a wireless network carrier 150, 160 and 170. This is inefficient and increases the chances of packet latency and packet loss. In other systems, data is sent to the centralized relay 140 (see Figure 1) and resides there until the relay 140 notes that the intended recipient's handheld device has registered on the relay through the appropriate wireless carrier network. This pending transmission (e.g., e-mail) may be stored and persist before and after delivery to a handheld device user. The data may be held at the relay 140 for a significant period of time and the shared relay 140 is outside of the enterprise's firewall and therefore outside of the enterprise's control.

(Specification, page 8, lines 10 to 24). Additionally, the present application states that:

> A critical issue with the [other systems] is that the data to be transmitted to the centralized relay 140 is sent out from the server arrangement 110 whether or not the intended wireless carrier 150, 160 or 170 is "in service" and whether or not the intended recipient handheld device 180a, 180b or 180c is "on" and within the carrier's service coverage area. This means that the data resides and persists on the relay 140 until the wireless carrier network and the

handheld device are both able to accept it.

(Specification, page 9, line 33 to page 10, line 5). By contrast, the presently claimed subject matter requires that the data be routed to the wireless carrier network by a relay arrangement, which is arranged behind the firewall and is configured to push the data such that the data is not transmitted until the at least one wireless device can receive the data. For example, the present application states that:

> In the present invention shown in Figure 2, the data to be transmitted is not sent beyond the exclusive security and domain of the enterprise until the wireless carrier's network 240, 250, 260 is "up" and the intended recipient's handheld 270a, 270b, 270c is "on", is within a service coverage area, and is logged onto the wireless carrier's network 240, 250, 260.

(Specification, page 10, lines 8 to 12). Hence, the present application states that:

> With the system according to the present invention shown in Figure 2, the relay arrangement 220 is installed within the enterprise's proprietary network infrastructure and is arranged behind the firewall 230. With this configuration, the enterprise does not have to worry about data persisting on a shared outside relay.

(Specification, page 8, lines 26 to 29) (emphasis added). Accordingly, for at least these reasons, Little does not anticipate claim 1, and therefore claim 1 is allowable.

Claims 2 to 4, 9, 16 to 18, 22, 31 and 36 to 38, which ultimately depend from claim 1, and claims 10, 14, 15, 24 and 26, which recite features essentially analogous to claim 1, as well as claims that depend from these claims, including claims 11, 12, 13, 20, 21, 23, 25, 27 to 30, 32 and 35, are allowable for at least the same reasons given above with respect to claim 1.

As further regards claims 25, 27, 31 and 32 it is respectfully submitted that Little does not disclose, or even suggest, a first/relay arrangement that is configured to transmit the data to a particular one of the at least one wireless device only when the particular wireless device is available to receive the data, or that the data is sent through the firewall arrangement only when the at least one wireless carrier network is in service and the at least one handheld device is available to receive the data, or that the relay arrangement is configured to store the data if the at least one wireless device is not available to receive the data, as provided for in these claims. The Office Action asserts on page 5 that paragraphs [0105] and [0106] of Little disclose these features but such paragraphs merely refer to the

functions of the message server 620 with respect to PIM data, and maintaining a plurality of mailboxes 619 in one or more data stores for each user having an account on the server. Indeed, nowhere in these paragraphs is the availability of a particular wireless device discussed, or even mentioned. It is therefore respectfully submitted that claims 25, 27, 31 and 32 are allowable for at least these further reasons.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

Claims 5 to 8 and 19 to 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Little in view of U.S. Patent No. 6,779,039 ("Bommareddy"). It is respectfully submitted that the combination of Little and Bommareddy does not render unpatentable these claims for at least the following reasons.

Claims 5 to 8 and 19 ultimately depend from claim 1 and therefore include all of the features recited in claim 1. Claim 20 depends from claim 10 and therefore includes all of the features recited in claim 10. Claim 21 depends from claim 14 and therefore includes all of the features recited in claim 14. As more fully set forth above, Little does not disclose, or even suggest, all of the features recited in claims 1, 10 or 14. Bommareddy is not relied upon for disclosing or suggesting the features recited in claims 1, 10 or 14, which are not disclosed or suggested by Little. Indeed, Bommareddy does not disclose, or even suggest, the features recited in claims 1, 10 or 14, which are not disclosed or suggested by Little. Accordingly, it is respectfully submitted that the combination of Little and Bommareddy does not render unpatentable claims 5 to 8 or 19 to 21.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

With respect to claims 1, 10, 15, 24 and 26 being rejected as non-enabling under the first paragraph of 35 U.S.C. § 112, the rejection is entirely misdirected. The Office Action states on page 8 that the specification does not reasonably provide enablement for "pushing the data". Yet, in this regard, the present application provides, for example, that:

> The relay arrangement 220 uses the header data in routing the data packet within the system of the present invention. Also, the data packet protocol includes a payload. The payload includes the data that a developer desires to send. Furthermore, the data packet protocol is configured such that the header results in minimal overhead and still provides sufficient data to route data. This data packet protocol provides that the data in the payload is transparent to the system of the present invention and that the data arrives at its destination unmodified. The type of data, or the format of the data, does not affect the ability to transmit the data via the system according to the present invention.

> Furthermore, the API and the data packet protocol may allow developers to create a single application that may be used on various ***"push"*** platforms. In turn, each application category may establish its own format for the payload of the data packet structure. For example, all e-mail applications are in a common category and share a common payload format. Hence, the API and the data packet protocol provide that an e-mail service may be written and integrated into a specific e-mail platform. E-mails may then be sent to any supported device/network platform.

(Specification, page 13, lines 17 to 18)(emphasis added). Accordingly, in view of the above, the enablement rejection is not understood and is plainly obviated by the foregoing text of the specification. It is therefore respectfully requested that this rejection be withdrawn.

New claims 39 to 43, 49, 73 and 76 depend either directly or indirectly from claim 1, and are therefore allowable for at least the same reasons as claim 1. New claims 44, 45, 46, 47 and 48 depend, respectively, from claims 10, 14, 15, 24 and 26, and are therefore allowable for at least the same reasons as their respective base claims. Likewise, new claims 50, 51, 52, 53 and 54 depend, respectively, from claims 10, 14, 15, 24 and 26, and are therefore allowable for at least the same reasons as their respective base claims. New claim 55 recites features essentially analogous to claim 1 with respect to a relay arrangement arranged behind a firewall arrangement, the relay arrangement routing data directly to the wireless carrier network for transmission over the wireless carrier network to at least one wireless device, and therefore claim 55 is allowable for at least the same reasons explained above with respect to the analogous features. New claims 56 to 70 depend either directly or indirectly from claim 55, and are therefore allowable for at least the same reasons as claim 55. New claim 71 recites features essentially analogous to claim 1 with respect to a relay arrangement that does not transmit data outside the firewall arrangement until at least one wireless device can receive the data, and is therefore allowable for at least the same reasons explained above with respect to the analogous features. New claim 72 depends from claim 71, and is therefore allowable for at least the same reasons as claim 71. New claims 74 and 75 depend, respectively from claims 10 and 15, and are therefore allowable for at least the same reasons as their respective base claims. New claims 77, 78, 79 and 80 depend, respectively, from claims 10, 15, 24 and 26, and are therefore allowable for at least the same reasons as their respective base claims.

As further regards new claims 72 to 75, it is respectfully submitted that the asserted prior art references do not disclose, or even suggest, a relay arrangement that is arranged behind the firewall arrangement, and that encodes data, as provided for in the

context of claims 72 to 75 as presented. Instead, Little refers to equipment arranged outside the firewall to perform such functions, if at all. In particular, Little makes reference to wireless gateway 16, wireless gateway 34, wireless infrastructure 610, and a network operator infrastructure 740. See, for example, paragraph [0027], which states "[s]uch functions as ... encoding or otherwise transforming messages for wireless transmission, and any other required interface functions may be performed by the wireless gateway 16"; paragraph [0040], which states that "[t]he wireless gateway 34 then performs any required address translation, encoding or similar functions, if any, and sends the message through the wireless network 36 to the mobile device 38"; and paragraph [0130], which states that "[w]hen the network operator infrastructure 740 communicates with the wireless connector systems 744, 754 and the mobile devices 713, 715 via different protocols, translation operations may be performed by the network operator infrastructure 740." Note also, for example, as stated in paragraph [0113] that "[o]ne example of a wireless infrastructure 610 is the gateway 16 of FIG. 1". Accordingly, claims 72 to 75 are allowable for these further reasons.

The new claims do not add any new matter and are supported in the specification. In particular, support for new claims 39 to 42 and 49 to 54 is found, for example, on page 5, lines 2 to 12, page 9, lines 11 to 19, page 10, lines 27 to 30, and page 11, lines 5 to 15 of the Specification. Support for new claims 43 to 48 and 56 is found, for example, on page 7, lines 25 to 27, and in the Figures. Support for new claims 55 and 60 is found, for example, on page 14, line 19 to page 15, line 2 of the Specification, and in the Figures. Support for new claims 57 to 59 is found, for example, on page 7, lines 12 to 27 of the Specification. Support for new claims 61, 62 and 71 is found, for example, on page 8, lines 26 to 29, and in the Figures. Support of new claims 63, 64 and 65 is found, for example, on page 10, lines 8 to 12, and page 11, lines 28 to 33. Support for claim 66 is found, for example, on page 1, lines 8 to 10, page 5, lines 1 to 5, page 8, lines 29 to 32. Support for new claims 67 and 68 is found, for example, on page 9, lines 14 to 16, and page 12, line 29 to page 13, line 30. Support for new claim 69 is found, for example, on page 5, lines 1 to 5. Support for new claim 70 is found, for example, on page 4, lines 1 to 5. Support for new claims 72 to 75 is found, for example, on page 3, lines 30 to 31. Support for new claims 76 to 80 is found, for example, on page 4, lines 9 to 10.

In sum, claims 1 to 80 are allowable.

Conclusion

In view of the foregoing, it is respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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